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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _08 December 2009_.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-17_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-17_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _8/26/09_ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.   Claims 1, 9-10, 12, & 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Berg (U.S. Patent No.: 6,680,952) in view of Schuster (U.S. Patent No.: 6,625,119)

Referring to claim 1, Berg teaches: communication network arrangement (Fig 1) providing
voice over IP or voice over ATM services (Media Gateway converts PCM over trunk into IP or
ATM per col. 4 lines 30-37 the network arrangement (Fig 1) comprising:

A first media gateway controller configured to control a first gateway (120 can be more than one
media gateway controller so there is a first media gateway controller which controls 110 or first
gateway per Fig 1 per col. 5 lines 1-20) and wherein the first media gateway is provided with a
first operating protocol (The media gateway controller is implemented as a protocol converter
with at least two protocols per col. 6 line 53 to 67 or first protocol)

A second media gateway controller configured to control a second gateway (120 can be more
than one media gateway controller so there is a second media gateway controller which control
150 per Fig 1 per col. 5 lines 1-20) and wherein the second media gateway controller configured
to control a second gateway (The media gateway controller can be implemented as more than
one media gateway controller and is implemented as a protocol converter with at least two
protocols per col. 6 line 53 to 67 or second protocol)   provided with a second different
operating protocol (Implemented with a second protocol which is different per col. 6 lines 53 to
67)

And a gateway provides a relay function or messaging between each of said first and second
media gateway controllers and the corresponding first and second gateways and virtual bear
function for messaging between said first and second media gateway controllers (Each of the
gateways 110 and 150 per Fig 1 receiving voice and signaling data and provide gateway address
translation to the respective gateway controllers per col. 4 line 60 to col. 7 line 13 gateway. 120
provides message between 110 and 120 per Fig 1 which are virtual bearer functions per col. 4
line 10 to col. 7 line 13)

Berg does not teach: gateway address translator incorporating proxies

Schuster teaches: gateway address translator incorporating proxies (address translation is provided by a server or gateway address translator or proxy per col. 1 line 63 to col. 2 line 52)

It would have been obvious to one of ordinary skill in the art at the time of the invention to add gateway address translator incorporating proxies of Schuster to the system of Berg in order for calls to be setup and completed.

Referring to claim 9, Berg teaches: a gateway address translator (The combination of the Media Gateway Controllers and Gateways, Packet network and 140, & 142 or address translator) for us in a communication network arrangement providing voice over IP or voice over ATM services (Media Gateway converts PCM over trunk into IP or ATM per col. 4 lines 30-37 the network arrangement (Fig 1) comprising:

A first media gateway controller configured to control a first gateway (120 can be more than one media gateway controller so there is a first media gateway controller which controls 110 or first gateway per Fig 1 per col. 5 lines 1-20) wherein the first media gateway is provided with a first operating protocol (The media gateway controller is implemented as a protocol converter with at least two protocols per col. 6 line 53 to 67 or first protocol)

A second media gateway controller configured to control a second gateway (120 can be more than one media gateway controller so there is a second media gateway controller which control 150 per Fig 1 per col. 5 lines 1-20) and wherein the second media gateway controller configured to control a second gateway (The media gateway controller can be implemented as more than one media gateway controller and is implemented as a protocol converter with at least two protocols per col. 6 line 53 to 67 or second protocol) wherein the second media gateway controller is provided with a second and different operating protocol (Implemented with a second protocol which is different per col. 6 lines 53 to 67)

And a gateway provides a relay function or messaging between each of said first and second media gateway controllers and the corresponding first and second gateways and virtual bear function for messaging between said first and second media gateway controllers (Each of the gateways 110 and 150 per Fig 1 receiving voice and signaling data and provide gateway address translation to the respective gateway controllers per col. 4 line 60 to col. 7 line 13 gateway. 120 provides message between 110 and 120 per Fig which are virtual bearer functions per col. 4 line 10 to col. 7 line 13)

Berg does not teach: gateway address translator incorporating proxies

Schuster teaches: gateway address translator incorporating proxies (address translation is provided by a server or gateway address translator or proxy per col. 1 line 63 to col. 2 line 52)

It would have been obvious to one of ordinary skill in the art at the time of the invention to add gateway address translator incorporating proxies of Schuster to the system of Berg in order for calls to be setup and completed.

In addition Berg teaches:

Regarding claim 10, comprises software provided in machine readable form on a storage medium (instruction for CPU stored in main memory per col. 7 line 14 to col. 8 line 54)

Referring to claim 12, Berg teaches: a method (Fig 1 performs the method) of providing voice over IP or voice over ATM services (Media Gateway converts PCM over trunk into IP or ATM per col. 4 lines 30-37 the network arrangement (Fig 1) comprising:

A first media gateway controller configured to control a first gateway (120 can be more than one media gateway controller so there is a first media gateway controller which controls 110 or first gateway per Fig 1 per col. 5 lines 1-20) and a second media gateway controller configured to control a second gateway (120 can be more than one media gateway controller so there is a second media gateway controller which control 150 per Fig 1 per col. 5 lines 1-20) wherein the first media gateway is provided with a first operating protocol (The media gateway controller is implemented as a protocol converter with at least two protocols per col. 6 line 53 to 67 or first protocol) wherein the second media gateway controller configured to control a second gateway (The media gateway controller can be implemented as more than one media gateway controller and is implemented as a protocol converter with at least two protocols per col. 6 line 53 to 67 or second protocol) provided with a second different operating protocol (Implemented with a second protocol which is different per col. 6 lines 53 to 67)

the method comprising provisioning between said first and second gateways so as to provide a relay function for messaging between each for the first and second media gateway controllers (a plurality of media gateway controller or a first and second media gateway controller relay message or proxy from 110 first media gateway and from 150 second media gateway per and thus provided forwarding associated with a virtual bearer function per col. 4 line 10 to col. 7 line 13. 120 provides message between 110 and 120 per Fig 1 which are virtual bearer functions per col. 4 line 10 to col. 7 line 13) a first protocol utilized between the first media gateway controller and the first gateway and utilizing the same protocol between the second media gateway controller and the second gateway to providing and virtual bear function for enabling message between the first and second media gateway controller (IP or first protocol is utilized to forward message and 120 provides message between 110 and 120 per Fig 1 which are virtual bearer functions per col. 4 line 10 to col. 7 line 13

Berg does not teach: gateway address translator incorporating proxies

Schuster teaches: gateway address translator incorporating proxies (address translation is provided by a server or gateway address translator or proxy per col. 1 line 63 to col. 2 line 52)

It would have been obvious to one of ordinary skill in the art at the time of the invention to add gateway address translator incorporating proxies of Schuster to the system of Berg in order for calls to be setup and completed.

Referring to claim 15, Berg teaches: A machine readable storage medium storing software (120 per Fig 1 has instructions or software which are in readable form which executed on a CPU per col. 8 lines 14 to col. 9 line 5) to control deliver of voice over IP or voice over ATM services in a communications network arrangement (120 per Fig 1controls voice over IP or voice over ATM per col. 5 lines 21 to col. 6 line 9) comprising a

A first media gateway controller configured to control a first gateway (120 can be more than one media gateway controller so there is a first media gateway controller which controls 110 or first gateway per Fig 1 per col. 5 lines 1-20) and wherein the first media gateway is provided with a first operating protocol (The media gateway controller is implemented as a protocol converter with at least two protocols per col. 6 line 53 to 67 or first protocol)

A second media gateway controller configured to control a second gateway (120 can be more than one media gateway controller so there is a second media gateway controller which control 150 per Fig 1 per col. 5 lines 1-20) and wherein the second media gateway controller configured to control a second gateway (The media gateway controller can be implemented as more than one media gateway controller and is implemented as a protocol converter with at least two protocols per col. 6 line 53 to 67 or second protocol)   provided with a second different operating protocol (Implemented with a second protocol which is different per col. 6 lines 53 to 67) the software upon execution performing:

provisioning said first and second gateways so as to provide a relay function for messaging between said first and second gateways and messaging between said first and second gateways controllers and the corresponding one of the first and second gateways utilizing the corresponding protocols messaging utilizing the protocol of the media gateway (The CPU in each of the gateways 110 and 120 per Fig 1 has software which acts as a relay to forward messages between the first and second gateway controller (120 per Fig 1 which is made up of a plurality of gateway controllers per col. 5 lines 1-20.) the first and second gateways utilizing the same protocol (Figure 1 shows gateways utilizing IP protocol)

providing a virtual bearer function for enabling message between the first an second media gateway controller (gateway has processor for software or means to sets up bearer selection between 110 and 150 per col. 6 lines 30 to 35)

Berg does not teach: gateway address translator incorporating proxies

Schuster teaches: gateway address translator incorporating proxies (address translation is provided by a server or gateway address translator or proxy per col. 1 line 63 to col. 2 line 52)

It would have been obvious to one of ordinary skill in the art at the time of the invention to add gateway address translator incorporating proxies of Schuster to the system of Berg in order for calls to be setup and completed.

3.   Claim 2-6 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berg

(U.S. Patent No.: 6,680,952) in view of Schuster (U.S. Patent No.: 6,625,119) further in view of

Tran (U.S. Patent No.: 6,667,968)

Referring to claim 2 the combination of Berg and Schuster teach: method of claim 1 and gateway address translator comprises gateway proxies for each of the first and second gateway

The combination of Berg and Schuster do not expressly call for: address translation for virtual gateway and one for each of said first and second media gateway controllers

Tran teaches: address translation for virtual gateway and one for each of said first and second media gateway controllers (address translation for a plurality of end points per col. 6 lines 10 to 34) .

It would have been obvious to one of ordinary skill in the art at the time of the invention to add address translation for virtual gateway and one for each of said first and second media gateway controllers of Tran to the system of the combination of Berg and Schuster in order for the gateway to have a single interface thereby forwarded data and signaling to the respective media gateway and media gateway controller.

In addition Berg teaches:

Regarding claim 3, wherein the communication between media gateway controller is provided via signaling network (IP protocol is used for signaling network between the gateways per Fig 1)

Regarding claim 4, wherein the signaling network comprises common channel signaling 7 network (SS7 per co. 6 line 32)

Regarding claim 5, wherein the gateway address translator comprises software provided in machine readable form on a storage medium (instruction for CPU stored in main memory per col. 7 line 14 to col. 8 line 54)

Regarding claim 6, wherein said gateway address translator comprises a software application running one of said first and second media gateway controllers (instruction for CPU stored in main memory per col. 7 line 14 to col. 8 line 54 and there are a plurality of CPUs per col. 7 lines 17 to 25

Referring to claim 16, the combination of Berg and Schuster teach: the communications network arrangement as claimed in claim 1 and a first media gateway controller and a second media gateway controller

The combination of Berg and Schuster does not expressly call for: provisioning the address of one of the proxies instead of the gateway

Tran teaches: provisioning the address of one of the proxies instead of the gateway
(address translation for a plurality of end points per col. 6 lines 10 to 34).

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the address translation for a plurality of multiple endpoints of Tran into the media gateways of the combination of Berg and Schuster in order for the gateway to have a single interface with the PBX and thereby forwarded data and signaling from the PBX to the respective media gateway and media gateway controller.

Referring to claim17, the combination of Berg and Schuster teach: the gateway address translator as claimed in claim 9 and wherein the first one of the gateway proxies is configured to communicate with the first media gateway controller using the first operating protocol and a second one of the gateway proxies is configured to communicate with the second media gateway control using the second operating protocol and the first gateway proxy is provisioned in the first media gateway controller and the second gateway proxy is provisioned at the second media gateway controller

The combination of the Berg and Schuster do not expressly call for: proxy address provisioned in a media gateway controller

Tran teaches: proxy address provisioned in a media gateway controller
(address translation for a plurality of end points per col. 6 lines 10 to 34.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the address translation for a plurality of multiple endpoints of Tran into the media gateways of the combination of Berg in order for the gateway and Schuster to have a single interface and thereby forwarded data and signaling to the respective media gateway and media gateway controller.

4.   Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berg (U.S. Patent

No.: 6,680,952) in view of Schuster (U.S. Patent No.: 6,625,119) further in view of Buhrke

(U.S. Patent No.: 5,231,631)

Referring to claim 7, the combination of Berg and Schuster teach: a communication network arrangement as claimed in claim 1 and at least a first and second media gateway controller pair.

The combination of Berg and Schuster do not expressly call for: separate ingress and egress functions

Buhrke teaches: distributed controller providing separate ingress and egress (ingress controller and egress controller which are separate terminal adapters per col. 2 lines 1 to 29)

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the separate ingress and egress controllers of Buhrke in place of the single controller of the combination of Berg and Schuster in order to increase throughput by utilizing parallel processing.

5.   Claims 8 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berg

(U.S. Patent No.: 6,680,952) in view of Schuster (U.S. Patent No.: 6,625,119) in view of

Buhrke (U.S. Patent No.: 5,231,631) further in view of Coffee (U.S. Patent No.: 6,931,111)

Referring to claim 8, the combination of Berg, Schuster, and Buhrke teach: a communication arrangement of claim 7 and a 1st and second media gateway controller

The combination of Berg, Schuster, and Buhrke do not expressly call for: gateway constituted by a softswitch.

Coffee teaches: gateway constituted by a softswitch (media gateway is a softswitch per col. 7 lines 17 to 31)

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the softswitch capability of Coffee to the media gateway controller of the combination of Berg , Schuster, and Buhrke because by implementing the media controller as a softswitch makes it easier to update and improve the switching capability through software upgrades.

In addition Berg teaches:

Regarding claim 11, and incorporated in one of the first and second media gateway controllers (instruction for CPU stored in main memory per col. 7 line 14 to col. 8 line 54 . This software is associated with the many CPU one which is associated with a media gateway controller)

6.   Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berg (U.S. Patent

No.: 6,674,713) in view of Kamarczyk (U.S. Patent No.: 6,950,441)

Referring to claim 13, Berg teaches: a method of interfacing media gateway controller and media
gateways having different operating protocol in a communication network arrangement (Figure
1A shows a MGC interfacing with a MG where the local address for interfacing is stored in a
memory in both the MG and the MGC per col. 6 lines 30 to 39) providing voice over IP or
voice over ATM services (VoIP or ATM per col. 5 line 59 to 67) the method comprising:

Creating in a computer an address associated with the media gateway (The media gateway
controller is a computer which has an address for the media gateway per col. 6 line 30 to 39)

Using the address to communicate with the respective one of media gateway controller utilizing
respective one of different operating protocols (The MGC or computer utilizes local address used
per col. 6 line 30 -39 while utilizing a respective operating protocol (protocol per col. 6 lines 1 to
10) where the MGC are provisioned with corresponding address of MG (local address per col. 6
line 29 to 39. The single media gateway controller can be divided into one or more media
gateway controller and each media gateway controller can perform protocol translation per col. 4
lines 60-col. 5 line 20. Clearly if protocol translation is performed one protocol is on one side
and is translated to another protocol on the other side or two different protocols)

Berg does not expressly call for: creating software proxies or provisioning of software proxy

Kacmarczyk teaches: creating software proxies (Gateway is implemented in softwitch or
software which allows one address to represent a plurality of devices per col. 4 lines 5 to 48) and
provisioning software address of the proxies (Gateway is implemented in software which allows
one address to represent a plurality of devices per col. 4 lines 5 to 48)

It would have been obvious to one of ordinary skill in the art at the time of the invention to add
the creating software proxies or provisioning of software proxy of Kacmarczyk in place of
provisioning address of Berg in order to build a system in which the proxying function is
implemented in software so it can be easily updated and changed to incorporate network
changes.

7.   Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berg (U.S. Patent

No.: 6,680,952) in view of Tran (U.S. Patent No.: 6,667,968)

Referring to claim 14, Berg teaches: a communication network arrangement (The combination of
110, 140, 120, 142 150, & 130 per Fig 1 or communication network arrangement) of providing
voice over IP or voice over ATM services (Media Gateway converts PCM over trunk into IP or
ATM per col. 4 lines 30-37 the network arrangement (Fig 1) and incorporating a plurality of
media gateways and media gateway controller (110 and 150 per Fig 1 are a plurality of media

gateways and 120 per Fig 1 can be implemented as multiple media gateway controllers per col. 5 lines 1-20) wherein the media gateway controllers have different operating protocol (The media gateway controller is implemented as a protocol converter with at least two protocols per col. 6 line 53 to 67 or different protocol) and wherein communication between said media gateways and media gateway controllers are relayed whereby each pair of said media gateway and media gateway controller send and receive communication using one of the different operating protocols (communication between 110 and 150 per Fig 1 or media gateways is relayed through the media gateway controllers 120 per Fig 1 and the media gateway controller have a protocol converter or different operating protocols) and the media gateway controller are provisioned with corresponding address (120 per Fig 1 use inherent addresses)

Berg does not expressly call: proxy addresses rather than corresponding addresses

Tran teaches: proxy addresses rather than corresponding addresses (address translation for a plurality of end points per col. 6 lines 10 to 34.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to add proxy addresses rather than corresponding addresses of Tran into the media gateways of Berg in order for the gateway to have a single interface and thereby forwarded data and signaling from the respective media gateway and media gateway controller.

Claim Rejections - 35 USC § 112

8.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9.   Claims 9-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention.

Referring to claim 9, claim 9 is indefinite because this claim is directed to gateway address translator or machine which comprises other hardware units and also comprises functions which are software module.   This claim is indefinite because examiner cannot ascertain whether applicant is claiming a method or system or steps which are performed by software; consequently, the metes and bound of this claim cannot be assessed

Referring to claim 12, claim 12 is directed to a method comprising hardware where the method is performing software functions. This claim is indefinite because examiner cannot ascertain

whether applicant is claiming a method or system or steps which are performed by software; consequently, the metes and bound of this claim cannot be assessed.

Claim Rejections - 35 USC § 101

10.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

11.   Referring to claims 1-8 & 11, claims 1-8 & 11 are directed to a communication network arrangement or machine. In order to be statutory a machine must have a particular practical application defined in the limitations in order to be statutory. Claims 1-8 & 11 describe the communication network but fail to define a particular practical application; therefore, these claims are non-statutory.

Referring to claims 9-10, claims 9 & 10 are directed to a gateway address translator or machine. In order to be statutory a machine must have a particular practical application defined in the limitations in order to be statutory. Claims 9 & 10 describe the gateway address translator but fail to define a particular practical application; therefore, these claims are non-statutory.

Referring to claim 12, claim 12 is directed to a method. In order to be statutory a method needs to have a significant step performed by processor or physical structure and also must define a particular practical application as a part of a claim limitation. Claim 12 fails to meet these criteria and therefore in non-statutory.

Referring to claim 13, claim 13 is directed to a method. In order to be statutory a method needs to have a significant step performed by processor or physical structure and also must define a particular practical application as a part of a claim limitation. Claim 12 fails to meet these criteria and therefore in non-statutory.

Referring to claim 14, claim 14 is directed to a communication network arrangement or machine. In order to be statutory a machine must have a particular practical application defined in the limitations in order to be statutory. Claim 14 describes the communication network arrangement but fail to define a particular practical application; therefore, this claim is non-statutory.

Referring to claim 15, claim 15 is directed to a machine readable medium or article of manufacture. In order to be statutory this claim must have a particular practical application defined in the limitations in order to be statutory and the machine readable medium cannot be a transitory machine readable medium or signal. Applicant's specification does not restrict the machine readable medium from being transitory medium. The examiner suggests that the applicant amend the claim to a non-transitory machine readable medium and to argue on the record that the machine readable medium is not intended to be a transitory medium.

Response to Amendment

12.   Applicant's arguments with respect to claims 1-17 have been considered but are moot in

view of the new ground(s) of rejection.

Additionally the following explanation is provided.

The examiner respectfully disagrees with the applicant argument that the references do not teach:
virtual bearer function for messaging between the first and second media gateway controller

Berg teaches: virtual bearer function for messaging between the first and second media gateway
controller (gateway. 120 provides message between 110 and 120 per Fig 1 which are virtual
bearer functions per col. 4 line 10 to col. 7 line 13)

The examiner respectfully disagrees with the applicant argument that: the first and second media
gateway controller are provided with corresponding first and second different operating
protocols.

Berg teaches: the first and second media gateway controller are provided with corresponding
first and second different operating protocols (The single media gateway controller can be
divided into one or more media gateway controller and each media gateway controller can
perform protocol translation per col. 4 lines 60-col. 5 line 20. Clearly if protocol translation is
performed one protocol is on one side and is translated to another protocol on the other side or
two different protocols)

The examiner disagrees with the applicant argument that combination of references do not teach:
gateway address translator incorporating proxies between the first and second gateway.

Berg teaches: 3a gateway provides a relay function or messaging between each of said first and
second media gateway controllers and the corresponding first and second gateways and virtual
bear function for messaging between said first and second media gateway controllers (Each of
the gateways 110 and 150 per Fig 1 receiving voice and signaling data and provide gateway
address translation to the respective gateway controllers per col. 4 line 60 to col. 7 line 13
gateway. 120 provides message between 110 and 120 per Fig 1 which are virtual bearer
functions per col. 4 line 10 to col. 7 line 13)

Berg does not teach: gateway address translator incorporating proxies

Schuster teaches: gateway address translator incorporating proxies (address translation is
provided by a server or gateway address translator or proxy per col. 1 line 63 to col. 2 line 52)

It would have been obvious to one of ordinary skill in the art at the time of the invention to add gateway address translator incorporating proxies of Schuster to the system of Berg in order for calls to be setup and completed.

The examiner respectfully disagrees with the applicant's argument that the combination of references do not teach: a method, the method comprising:
Creating software proxies of said media gateways ; and said software proxies communicating with respective one of said media gateway controller utilizing respective ones of different operating protocol wherein the media gateway controller are provisioned with corresponding addresses of the software proxies rather than corresponding address of said media gateway.

Berg teaches: a method of interfacing media gateway controller and media gateways having different operating protocol in a communication network arrangement (Figure 1A shows a MGC interfacing with a MG where the local address for interfacing is stored in a memory in both the MG and the MGC per col. 6 lines 30 to 39) providing voice over IP or voice over ATM services (VoIP or ATM per col. 5 line 59 to 67) the method comprising:

Creating in a computer an address associated with the media gateway (The media gateway controller is a computer which has an address for the media gateway per col. 6 line 30 to 39)

Using the address to communicate with the respective one of media gateway controller utilizing respective one of different operating protocols (The MGC or computer utilizes local address used per col. 6 line 30 -39 while utilizing a respective operating protocol (protocol per col. 6 lines 1 to 10) where the MGC are provisioned with corresponding address of MG (local address per col. 6 line 29 to 39. The single media gateway controller can be divided into one or more media gateway controller and each media gateway controller can perform protocol translation per col. 4 lines 60-col. 5 line 20. Clearly if protocol translation is performed one protocol is on one side and is translated to another protocol on the other side or two different protocols)

Berg does not expressly call for: creating software proxies or provisioning of software proxy

Kacmarczyk teaches: creating software proxies (Gateway is implemented in softwitch or software which allows one address to represent a plurality of devices per col. 4 lines 5 to 48) and provisioning software address of the proxies (Gateway is implemented in software which allows one address to represent a plurality of devices per col. 4 lines 5 to 48)

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the creating software proxies or provisioning of software proxy of Kacmarczyk in place of provisioning address of Berg in order to build a system in which the proxying function is implemented in software so it can be easily updated and changed to incorporate network changes.

Consequently the examiner disagrees that the combination of reference do not teach the claimed subject matter.

The examiner respectfully disagrees with the applicant's argument that the combination of reference do not teach: media gateway controller are provisioned with corresponding addresses of the proxies rather than corresponding address of the gateways where communication between the media gateways and media gateway controller are relayed via proxies.

Berg teaches: a communication network arrangement (The combination of 110, 140, 120, 142 150, & 130 per Fig 1 or communication network arrangement) of providing voice over IP or voice over ATM services (Media Gateway converts PCM over trunk into IP or ATM per col. 4 lines 30-37 the network arrangement (Fig 1) and incorporating a plurality of media gateways and media gateway controller (110 and 150 per Fig 1 are a plurality of media gateways and 120 per Fig 1 can be implemented as multiple media gateway controllers per col. 5 lines 1-20) wherein the media gateway controllers have different operating protocol (The media gateway controller is implemented as a protocol converter with at least two protocols per col. 6 line 53 to 67 or different protocol) and wherein communication between said media gateways and media gateway controllers are relayed whereby each pair of said media gateway and media gateway controller send and receive communication using one of the different operating protocols (communication between 110 and 150 per Fig 1 or media gateways is relayed through the media gateway controllers 120 per Fig 1 and the media gateway controller have a protocol converter or different operating protocols) and the media gateway controller are provisioned with corresponding address (120 per Fig 1 use inherent addresses)

Berg does not expressly call: proxy addresses rather than corresponding addresses

Tran teaches: proxy addresses rather than corresponding addresses (address translation for a plurality of end points per col. 6 lines 10 to 34.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to add proxy addresses rather than corresponding addresses of Tran into the media gateways of Berg in order for the gateway to have a single interface and thereby forwarded data and signaling from the respective media gateway and media gateway controller.

Conclusion

13.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to ROBERT W. WILSON whose telephone number is (571)272-

3075. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Dang Ton can be reached on 571/272-3171. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

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applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert W Wilson/
Primary Examiner, Art Unit 2475

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2/19/10